

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NATALIA BRUTON, individually and on behalf) Case No.: 12-CV-02412-LHK
of all others similarly situated,)
Plaintiff,) ORDER STRIKING DEFENDANT'S
v.) EVIDENTIARY OBJECTIONS TO
GERBER PRODUCTS COMPANY,) REPLY DECLARATION OF DR. ORAL
Defendant.) CAPPS, JR.

)

Defendant Gerber Products Company (“Defendant”) has filed Evidentiary Objections to the Reply Declaration of Dr. Oral Capps, Jr. (“Objections”), wherein Defendant objects to allegedly new and improper evidence contained in Plaintiff Natalia Bruton’s (“Plaintiff”) Reply in Support of Class Certification. *See* ECF No. 122. Civil Local Rule 7-3(d)(1) governs the submission of objections to evidence contained in a party’s reply brief. This rule requires that any evidentiary objections be filed no more than seven days after the reply brief is filed and states that any evidentiary objections “may not exceed 5 pages of text.” Civ. Local R. 7-3(d)(1).

Defendant's Objections comply with neither of these requirements. Defendants filed their Objections on June 17, 2014—over two months after Plaintiff filed her reply brief on April 3, 2014. *See* ECF Nos. 110, 122. Furthermore, the Objections are fifteen pages in length. *See* ECF

1 No. 122. Accordingly, the Court STRIKES Defendant's Objections for failure to comply with Civil
2 Local Rule 7-3(d)(1).

3 **IT IS SO ORDERED.**

4 Dated: June 18, 2014



5 LUCY H. KOH
6 United States District Judge